

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT.

LAND ACQUISITION-General-Nalgonda(District)- Yadagiriguttapally (Vilage)-Yadagirigutta (Mandal)-Acquisition of Land for establishment of Cattle Market at Yadagirigutta-Interim Orders of the High Court delivered in CMP No. 3090/ 04 in A.S. No. 2514/03, Dated:10.4.2006-Administrative Sanction for an expenditure of Rs. 10,42,499/-(Rupees Ten Lakhs Forty Two Thousand Four Hundred And Ninety Nine Only)as advance from Contingency Fund towards 1/4th Decretal Charges in compliance with High Court's Orders Dt:10.4.2006 in CMP No. 3090/2004 in AS No. 2514/03-Accorded-Orders-Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT(PTS.III)DEPARTMENT

G.O. Rt. No. 1286

Dated:02 -09-2009.

Read the following:

- 1) From the District Collector, Nalgonda, Letter No. G1/15226/2008, Dated:19.1.2009.
- 2) From the District Collector, Nalgonda, Letter No. G1/15226/2008, Dated:30.6.2009.

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ORDER:

In the reference 1st read above, the District Collector, Nalgonda has submitted proposals, reporting that the Sarpanch, Yadagirigutta (Village & Mandal), Nalgonda District has submitted requisition proposal for acquisition of the land to an extent of Acs. 4-35 Gts. in Sy. No. 53 situated at Yadagarpalli (Village) for establishment of Cattle Market. The Revenue Divisional Officer, Bhongir has submitted proposal for approval of the Draft Notification and Draft Declaration proposed for acquisition of the lands. The proposals were recommended to the Government for approval. The Government, in Panchayat Raj Department, have approved the Draft Notification vide G.O. Rt. No. 1509, Panchayat Raj(PTS.III)Department, Dated: 30.12.1983 and Draft Declaration under Section 6 of the Land Acquisition Act had been approved vide G.O. Rt. No. 1065, Panchayat Raj(PTS.III)Department, Dated:12.6.1985. After completion of the due formalities, the Revenue Divisional Officer, Bhongir has passed the Award vide Procdgs. No. B/6222/88, Dated:16.9.1993 while fixing the market value @ Rs. 10,000/- per Acre. The claimants have received the compensation under protest and requested to refer the case to the Civil Court under Section 18 of the Land Acquisition Act for adjudication of the market value. The Senior Civil Court, Bhongir has enhanced the compensation from Rs. 10,000/- per Acre to Rs. 70/- per Sq. Yard while deducting the 1/3rd of the area. Aggrieved by the above Orders, the Revenue Divisional Officer, Bhongir has filed an Appeal before Hon'ble High Court vide A.S. No. 2514/2003. The Hon'ble High Court, it's Interim Orders Dated:10.4.2006 delivered in CMP No. 3090/04 in A.S. No. 2514/2003, has granted 'Interim Stay' subject to depositing of 1/4th of the enhanced amount within a period of eight(8) weeks from the date of Order and on such deposit the Respondents are permitted to withdraw the same without furnishing the security. As such, the Revenue Divisional Officer, Bhongir has submitted decretal proposal for an amount of Rs. 10,42,499/-(Rupees Ten Lakhs Forty Two Thousand Four Hundred And Ninety Nine Only) to comply with the Interim Orders of the Hon'ble High Court. The Executive Officer, Grama Panchayat, Yadagiripally has not deposited the decretal amount in spite of constant persuasion. The same has been verified with reference to Court Orders and found no discrepancy. The District Collector, Nalgonda, while submitting the detailed proposal for release of decretal amount along with copies of Award Proceedings, Orders of the Senior Civil Court, Bhongir and the Interim Orders of the Hon'ble High Court, has finally requested the Govt. to arrange to release the decretal amount of Rs. 10,42,499/-(Rupees Ten Lakhs Forty Two Thousand Four Hundred And Ninety Nine Only) to comply with the Orders of the Hon'ble High Court.

2. In the reference 2nd read above, the Collector, Nalgonda has further reported that the claimants have filed the E.P. for realization of decretal amount and Senior Civil Judge, Bhongir has issued the Orders for attachment of movable properties. Accordingly, as per the instructions of the Revenue Divisional Officer, Bhongir, the Executive Officer, Grama Panchayat, Yadagiripally has deposited 1/4th of the decretal amount of Rs. 10,42,499/-(Rupees Ten Lakhs Forty Two Thousand Four Hundred And Ninety Nine Only) to comply with the Orders of the Hon'ble High Court Dated:10.4.2006 delivered in CMP No. 3090/04 in A.S. No. 2514/2003 subject to re-imbursement. The District Collector, Nalgonda has

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finally informed that the said amount of Rs. 10,42,499/- is to be deposited in the following Head of Account so as to comply with the Orders of the Hon'ble High Court:

8448-Deposits of Local Bodies
109-Village Body Funds
01-Village Panchayat Fund
19022202050-Yadagirigutta Gram Panchayat

3. In the circumstances reported by the District Collector, Nalgonda in the references 1st and 2nd read above, Government, after careful examination, hereby accord administrative sanction for an expenditure of Rs. 10,42,499/- (Rupees Ten Lakhs Forty Two Thousand Four Hundred And Ninety Nine Only) towards depositing 1/4th Decretal Charges, in compliance with the Orders of the Hon'ble High Court of A.P. Dated:10.4.2006 CMP No. 3090/2004 in AS No. 2514/03 for the purpose of Acquisition of Land for establishment of Cattle Market at Yadagirigutta.

4. The expenditure sanctioned in para (3) above shall be debited to the Head Of Account "2215- Other Rural Development Programmes – MH.198. Assistance to Gram Panchayats – SH (08) Assistance to Gram Panchayats – 500 – Other Charges – 501- Compensation (Charged)" and shall be met initially as an advance from Contingency Fund orders regarding which will be issued by Finance (BG.I) Department separately.

5. The District Collector, Nalgonda and the District Panchayat Officer, Nalgonda are requested to disburse the amount sanctioned in para (3) above and utilize the same for the above purpose.

6. The District Collector, Nalgonda/District Panchayat Officer, Nalgonda shall take further action accordingly.

7. The Commissioner of Panchayat Raj & Rural Employment, Hyderabad is requested to send necessary proposals for obtaining Supplementary Grant at the appropriate time during the Current Financial Year 2009-2010 to recoup the advance sanctioned from Contingent Fund.

8. This Order issues with the concurrence of the Finance (Expr.PR&RD) Department vide their U.O. No. 20574/337/Expr.PR/2009, Dated: 28.8.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**M.V.P.C. SASTRY,
PRINCIPAL SECRETARY TO GOVERNMENT(PR).**

To
The Commissioner of PR & RE, Hyderabad.
The District Collector, Nalgonda.
The District Panchayat Officer, Nalgonda.
Copy to:
The Director of Treasuries And Accounts, A.P., Hyderabad.
The Director of State Audit, Hyderabad.
The Principal Accountant General, A.P., Hyderabad.

Copy to:
The Finance(Expr. PR&RD Department).
The P.S. to Principal Secretary To Govt.(PR), PR&RD Department.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER